

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Civil Action no.: 07-civ-6988 (LTS)

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AMS GROUP LLC, DONALD GREAVES, and SAINT
CLAIR JACKSON,

Plaintiffs,

Affirmation in Opposition

vs.

J.P. MORGAN CHASE, INC.,

Defendant.

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Robert Parker, and attorney representing the above named Plaintiffs, is admitted to practice law before the Southern District of New York, and the Courts of the State of New York. I hereby affirm and state the following:

1. The Plaintiff Donald Greaves and Saint Clair Jackson are principles of AMS GROUP LLC. (See herein attached Exhibit "A" Donald Greave's Affidavit)
2. On or about March 11, 2004, Donald Greaves contacted Defendant to obtain funding to purchase an oil refinery in the Gulf Coast of the United States.
3. An application/letter for credit was submitted to the Defendants (See herein Exhibit "B" Letter).
4. Pursuant to the Equal Credit Opportunity Act, (hereinafter "ECOA"), the Defendants were required to either issue a 1) denial; 2) request for more information; 3) counteroffer.
5. It is clear that based upon the Defendant's own motion, and Mr. Greaves' affidavit, Defendant did not comply with the thirty day rule and per se violated this provision of ECOA.
6. Upon the Defendant's failure to issue a reason for denying the loan, Plaintiffs filed a complaint with the Federal Reserve.

7. The Defendant incorrectly stated that the Federal Reserve issued to Plaintiffs a finding that included a copy of Defendant's denial.
8. However, it was the Plaintiff's understanding that an investigation was still on going.
9. Further, the Plaintiff's allege that the Defendants improperly contacted the oil refinery owner, interfering with the deal and Plaintiff's ability to obtain funding from other sources.
10. The Defendants alleged that the Plaintiffs authorized contact between the Defendant and the oil refinery.
11. Donald Greaves flatly denies that authorization was given to Defendants to contact the oil refinery.
12. Furthermore, Donald Greaves explicitly communicated in writing to the Defendant that all information concerning the loan be confidential. (See attached Exhibit "C" Confidentiality Letter to James Nicolas).
13. There has been no discovery thus far in this matter. Therefore, should the Court find that this matter is equitably tolled, it respectfully request that discovery be conducted to enable Plaintiff to obtain the necessary documents in its discrimination claim.
14. Based upon the foregoing, Plaintiff respectfully requests that Defendant's motion be denied in its entirety, or otherwise stayed until the completion of discovery.

Dated April 30, 2008

/s/ _____

Robert H. Parker, Esq. (RP-1682)